

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARK G. BRALLEY,¹

Plaintiff,

v.

No. 13-cv-0768 JB/SMV

**ALBUQUERQUE PUBLIC SCHOOLS BD. OF EDUC.,
ROBERT LUCERO, DAVID ROBBINS,
PAULA MAES, MARTIN ESQUIVEL,
KATHERINE KORTE, ALBUQUERQUE PUBLIC
SCHOOLS, WINSTON BROOKS, BRADLEY WINTER,
MONICA ARMENTA, RIGO CHAVEZ,
JOHN MILLER, STEVE TELLEZ, STEVE GALLEGOS,
and ALBUQUERQUE PUBLIC SCHOOLS POLICE DEP'T,**

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court on Defendants' portion of the proposed Pretrial Order [Doc. 135], filed on December 28, 2015. Plaintiff Mark G. Bralley, proceeding pro se, has failed to contribute to the proposed Pretrial Order in accordance with the Court's First Amended Scheduling Order [Doc. 86]. Therefore, Plaintiff is ordered to show cause why he should not be sanctioned.

On April 1, 2015, the Court issued a First Amended Scheduling Order. [Doc. 86]. (The CM/ECF notice of electronic filing indicates that the First Amended Scheduling Order was delivered to Plaintiff via email.) In pertinent part, the First Amended Scheduling Order directed

¹ Plaintiff proceeds pro se. Following a telephonic status conference held on May 28, 2015, the Court referred this case to the pro bono panel with a request that one of the attorneys consider offering to represent Plaintiff. However, the panel has declined the request. Accordingly, the Court encourages Plaintiff to secure representation by a licensed attorney.

the parties to cooperate in preparing a proposed Pretrial Order. *Id.* at 4. Plaintiff's portion was due to Defendants by December 14, 2015, and Defendants were to complete their portion and submit the proposed order to the Court by December 28, 2015. *Id.* Defendants timely submitted their portion, indicating that, despite their request to Plaintiff for his portion, he had "declined" to provide it. [Doc. 135] at 1–3, n.1.

IT IS THEREFORE ORDERED that no later than **Tuesday, January 19, 2016**, Plaintiff Mark G. Bralley shall show cause, in writing, why he should not be sanctioned for his failure to participate in the proposed Pretrial Order, in accordance with the First Amended Scheduling Order [Doc. 86].

Plaintiff is admonished that failure to timely respond to this Order and/or failure to follow the rules of procedure or this Court's orders may result in sanctions up to and including dismissal of the case with prejudice. See *Ehrenhaus v. Reynolds*, 965 F.2d 916, 921 (10th Cir. 1992).

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge